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COUNSEL

J. MARK WHITE, J.D.

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January 23, 2006

Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, DC 20463-0002

AOR 2006-05

RE: Advisory Opinion Request

Dear Sirs:

Please consider this letter as a request for an official advisory opinion per 11 CFR 112.1. I offer this request as an authorized agent for the Second Congressional District Committee of the Republican Party of Arkansas.

The Second Congressional District Committee (hereinafter "Committee") is an entity established and governed by the Rules of the Republican Party of Arkansas (hereinafter "State Party"). The Committee's membership consists of members elected by county party committees and auxiliary party committees. The Committee elects its own officers, maintains its own bank account, and oversees its own affairs. Other than being subject to the Rules of the Republican Party of Arkansas, the Committee is independent of the State Party. The State Party exercises no control over the decisions or actions of the Committee. The Committee has never received funds from the State Party or its affiliates, nor does it anticipate receiving such funds. The Committee is not registered with the FEC or with the State of Arkansas as a political action committee (PAC).

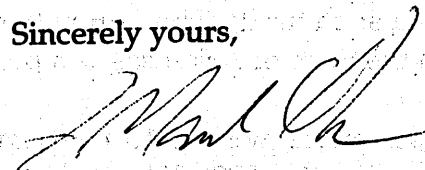
The Committee wishes to contribute \$1,000 to the Republican nominee for the U.S. House of Representatives for the Second District of Arkansas, once that nominee is elected in the May primary election. This decision is not made in cooperation, consultation, or concert with the State Party or its affiliates. This decision likewise is not made at the request or suggestion of the State Party or its affiliates.

Assuming the facts as outlined above, please answer the following questions:

- (1) May the Committee lawfully contribute funds to the 2006 Republican candidate for the U.S. House of Representatives for the Second District of Arkansas?
- (2) Must the Committee register as a federal political action committee (PAC) to do so?
- (3) If the Committee contributes to the 2006 Republican Candidate for the U.S. House of Representatives for the Second District of Arkansas, will the Committee's contribution be attributed to the Republican Party of Arkansas for purposes of the State Party's maximum contribution limits, or does the Committee have a contribution limit separate and apart from the State Party?
- (4) If the Committee contributes more than \$1,000 to federal candidates in a single election, will any part of its contributions be attributed to the Republican Party of Arkansas for purposes of the State Party's maximum contribution limits?
- (5) Is the Committee limited to a contribution of \$1,000 to a single federal candidate, or may it lawfully contribute \$2,100 to a single federal candidate without registering as a PAC?
- (6) If the Committee contributes more than \$1,000 to federal candidates in the 2006 election cycle, must it register as a PAC?

Thank you for your prompt attention to this request.

Sincerely yours,



J. Mark White, Counsel
Second Congressional District Committee,
Republican Party of Arkansas